

DOCKET NO.: 289779US0PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

GROUP: 1633

Masatoshi TOHATA, et al.

SERIAL NO: 10/578,613

EXAMINER: POPA, ILEANA

FILED: March 12, 2007

FOR: RECOMBINANT MICROORGANISM

**RESTRICTION RESPONSE**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

Sir:

In response to the Restriction Requirement dated October 1, 2009, Applicants provisionally elect, with traverse, the following species, for examination purposes only,

(1) "rocR" as the single species of *Bacillus subtilis* gene (claims 1-7 readable thereon).

**Remarks/Arguments** begin on page 2 of this paper.